

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

Curtis C. Nelson,
Debtor.

Case No.:11-43113

Chapter 11 Case

ORDER APPROVING SALE FREE AND CLEAR OF LIENS AND INTERESTS

This case is before the court on the debtor's motion for expedited relief and approval of sale free and clear of liens and interests.

Based on the motion and the file,

IT IS ORDERED:

1. The request for expedited relief is granted.
2. The debtor is authorized to perform according to the terms of the purchase agreement between the debtor and Marjorie Nelson, as sellers, and YuJin Han, as purchaser, for the sale of the real property located at 1553 Linner Road, W ayzata, MN 55391 and legally described as:

That part of Lot 10, Superior Boulevard Gardens, described as follows:

Beginning at the Northwest corner of Lot 10, Superior Boulevard Gardens, thence South along the West line of said Lot 10 a distance of 170 feet; thence East and parallel with the North line of said Lot 10 a distance of 232 feet; thence North and parallel with the West line of said Lot 10 a distance of 170 feet to the North line of said Lot 10; thence West along the North line of said Lot 10 a distance of 232 feet to the point of beginning, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.

3. The purchaser shall take title to the real property sold pursuant to this order free and clear of the following:
 - a. Marjorie Nelson's interests under the: (i) Findings of Fact, Conclusions of Law and Order for Judgment and Judgment and Decree filed on April 15, 2009 by the Minnesota State District Court for the Fourth Judicial District, Hennepin County, and recorded with the Office of the Hennepin County Recorder on April 17, 2009 as Document Number 9346462; and (ii) Amended Findings of Fact, Conclusions

of Law, Order for Judgment and Judgment and Decree filed on November 22, 2010 by the Minnesota State District Court for the Fourth Judicial District, Hennepin County;

- b. The interest of Wells Fargo Bank, N. A. under a mortgage dated April 22, 2003, and recorded with the Office of the Hennepin County Recorder on June 6, 2003 as Document Number 8064869;
 - c. The interest of JPMorgan Chase Bank under a mortgage dated September 18, 2003, and recorded in the office of the Hennepin County Recorder on December 18, 2003 as Document Number 8254232;
 - d. The interest of Jordan Family, LLC under the judgment in the amount of \$337,647.48, entered by the Minnesota State District Court for the Fourth Judicial District on April 21, 2011 in the civil action captioned *Jordan Family, LLC v. Curtis C Nelson*, Case No. 27-CV-10-20961, and docketed in Hennepin County on May 4, 2011; and
 - e. The interest of Crown Bank under the judgment in the amount of \$3,800,000.00, entered by the Minnesota State District Court for the Fourth Judicial District on February 3, 2011 in the civil action captioned *Crown Bank v. Curtis C Nelson*, Case No. 27-CV-10-24189, and docketed in Hennepin County on February 15, 2011.
4. Proceeds from the sale shall be disbursed as follows:
- a. First, \$30,000.00 to Edina Realty, Inc., in satisfaction of commissions, fees, and expenses earned and payable by reason of the sale;
 - b. Second, \$5,445.32 to the Hennepin County Treasurer, in satisfaction of real estate taxes through the closing date;
 - c. Third, customary and ordinary closing costs; and
 - d. Fourth, to the JPMorgan Chase Bank, to be applied to its secured claim.
5. Notwithstanding 6004(h) of the Federal Rule of Bankruptcy Procedure this order is effective immediately.

Dated: September 14, 2011

/s/ Robert J. Kressel

Robert J. Kressel
United States Bankruptcy Judge